

REMARKS

This application has been reviewed in light of the Office Action mailed on October 27, 2006. Claims 1-65 are now presented for examination. Favorable review is respectfully requested.

Claims 1-18 and 20-65 were rejected under 35 U.S.C. § 102(e) as being anticipated by Cadiz et al. (U.S. Patent Application Publication No. 2002/0186257). Claim 19, dependent from claim 18, was apparently rejected under 35 U.S.C. § 103(a) as being unpatentable over Cadiz et al. (the Examiner quoted 35 U.S.C. § 103(a), but characterized the rejection as under 35 U.S.C. § 102(e)). The applicants respectfully submit that independent claims 1, 32-34, 45, 56-58, 61 and 62 are patentably distinct from the cited art, since Cadiz does not teach, describe or suggest modifying context menus in existing software, as set forth in further detail below.

Cadiz et al. is understood to disclose a system and method for implementing a peripheral awareness interface or “sidebar” (paragraph 70), in which a dynamic object or “ticket” (e.g. an XML structure) is paired with a “viewer” so that information of interest to a viewer may be tracked and watched (paragraph 74). A viewer thus displays the ticket as a window; the window has information or contact data retrieved via one or more services (paragraph 69). A ticket may be customized (paragraph 80) for watching or tracking a particular electronic file. Cadiz et al. offers an example (paragraphs 80-84) of how a customizable ticket may be used to gather and display information relating to an electronic file. Cadiz et al. also teaches that tickets may be shared between users, copied, stored, etc.

The tickets of Cadiz et al. may also be managed by user interfaces. According to Cadiz et al., a context menu may be provided as an “interaction support service,” and is preferably provided by a “ticket-interface” function (paragraph 116). A typical context menu may have several selectable items such as “Remove” and “Properties” (paragraphs 143, 144). A user may open a context menu associated with a particular item in order to create a new item in a sidebar (paragraph 188).

It is noteworthy that Cadiz et al. treats implementing and accessing a context menu as conventional activities (paragraph 193). In contrast to the presently claimed invention, Cadiz et al. offers no teaching or suggestion regarding modifying a context menu, let alone positioning an additional item therein. Cadiz et al. also does not disclose or suggest where an additional item for a context menu may be obtained or positioned.

In the portions of Cadiz et al. relied upon by the Examiner (particularly paragraphs 188-193), Cadiz et al. discusses interaction with a sidebar via one of several user interface functions such as a “ticket wizard.” The ticket wizard permits a user to create, modify, select or delete a ticket. Another possible user interface allows a user to interact with a sidebar or items therein. This discussion in Cadiz et al. merely describes modifying and interacting with tickets and not with any context menus associated therewith.

Cadiz et al. mentions only briefly that a ticket “may” have an associated context menu (see paragraphs 116, 133, 141, 193). Even if one were to read Cadiz et al. at paragraph 116, to suggest that a user may access a context menu for a particular ticket file, a point in no way conceded, it is respectfully submitted that Cadiz et al. would still offer no suggestion as to how a context menu might be modified; how an item might be added to a context menu; or indeed why it would be desirable to modify a context menu.

The discussion of tickets in Cadiz et al. is, in general, not relevant to the problem of modifying a context menu. In particular, Cadiz et al. offers no teaching or suggestion regarding an additional menu item as part of a context menu. Cadiz et al. evidently views “services” and user interfaces as part of an infrastructure for supporting tickets and viewers. Even if a context menu could be viewed as a “service,” Cadiz et al. still would offer no teaching or suggestion regarding modifying a context menu or positioning an additional menu item to enhance such a service.

More generally, Cadiz et al. is not understood to disclose or suggest any method or system of controlling a context menu, let alone a method or system for controlling a context menu which represents an advance over the state of the art. Cadiz et al. is understood to teach a system for configuring “customized dynamic thumbnails,” representing information and communications “contacts,” in a way that engages a user’s “peripheral awareness” (paragraphs 16-18). Cadiz et al. is concerned that a user have

some understanding of the “contact” merely by glancing at a display (paragraph 19), as opposed to modifying any context menu associated with such a “contact.” One following the teaching of Cadiz et al. (paragraph 193) would treat context menus as having merely conventional properties of existing software.

In stark contrast to Cadiz et al., claim 1 is directed to a method of providing a modified context menu. The method includes the step of providing a client-side software module for modifying an existing context menu in existing software; the software module comprises additional menu information. The modified context menu comprises an additional menu item positioned within the modified context menu in accordance with the additional menu information and not in accordance with the existing software. Claims 32 and 56-58 are also directed to a method of providing a modified context menu and recite similar features. Claim 34 is directed to computer-readable program code comprising a software module with features as recited in claim 1. Claim 45 is directed to a system for providing a modified context menu; the system includes one or more servers configured for providing a software module with the above-noted features. Claim 33 is directed to a method of controlling an Internet browser interface and includes the steps of providing access to a program for controlling the interface and making available for downloading a file for causing the display of a toolbar; the toolbar makes available additional functionality comprising modifying the existing context menu, with the same features as above. Claims 61 and 62 are each directed to a method of providing an additional menu item for inclusion in a context menu.

Accordingly, it is submitted that the invention as presently claimed is neither anticipated nor rendered obvious by the Cadiz et al. reference, as the Cadiz et al. reference fails to teach, describe or suggest at least the claim elements recited above. Cadiz et al. therefore cannot form the basis of a rejection under 35 U.S.C. § 102, nor should it or could it render the claims obvious either alone or in combination with any other reference of record, for the same reasons.

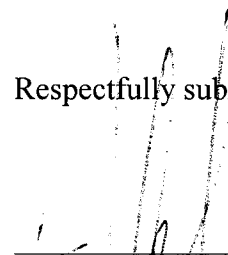
The other claims in this application are dependent from one or another of the independent claims discussed above and are therefore believed to be patentable for the same reasons. Since each dependent claim is deemed to define an additional aspect of the invention, however, consideration of each on its own merits is respectfully requested.

In view of the foregoing remarks, the Applicants respectfully request favorable consideration and early passage to issue of the application.

The Commissioner is hereby authorized to charge any fees which may be required for this Amendment to Deposit Account No. 50-1561 of Greenberg Traurig, LLP.

The applicants' attorney may be reached by telephone at 212-801-6729. All correspondence should continue to be directed to the address given below, which is the address associated with Customer Number 32361.

Respectfully submitted,



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